

Article - Criminal Law

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§13–2503.

(a) The sheriff may issue a license to an organization listed in subsection (b) of this section to conduct a game that uses any of the following devices to award prizes of merchandise or money:

- (1) a paddle wheel;
- (2) a wheel of fortune;
- (3) a chance book;
- (4) bingo;
- (5) a raffle; or
- (6) any other gaming device.

(b) To qualify for a license under this subtitle, an organization shall be:

(1) a bona fide religious organization that has conducted religious services at a fixed location in the county for at least 5 years before the organization applies for a license;

(2) a tax-supported volunteer fire company or an auxiliary unit whose members are directly associated with the fire company;

(3) an organization that has been located in the county for at least 5 years before it applies for a license and is:

(i) a nationally chartered veterans' organization or an auxiliary unit whose members are directly associated with the veterans' organization;

(ii) a nonprofit organization that is exempt from taxation under § 501(c)(3) or (4) of the Internal Revenue Code;

(iii) a nonprofit fraternal organization that is exempt from taxation under § 501(c)(10) of the Internal Revenue Code; or

(iv) a nonprofit organization that:

1. intends to use the gaming license to raise money for an exclusively charitable, athletic, or educational purpose that meets the conditions of subsection (c) of this section; and

2. states the charitable, athletic, or educational purpose in the application to the sheriff.

(c) For the purposes of subsection (b)(3)(iv) of this section, a purpose is considered a charitable, athletic, or educational purpose if the purpose:

(1) meets the requirements for a charitable contribution under § 170(c) of the Internal Revenue Code; and

(2) does not benefit a:

(i) law enforcement unit;

(ii) fraternal organization for a law enforcement unit;

(iii) political club;

(iv) political committee;

(v) political party; or

(vi) unit of State government or a political subdivision of the State other than:

1. an ambulance company;

2. a fire fighting company;

3. a rescue company;

4. a primary school;

5. a secondary school; or

6. an institution of higher education.

(d) (1) An applicant for a license shall submit an application to the sheriff.

(2) The application shall contain:

- (i) a copy of the tax-exempt verification of the organization;
- (ii) a copy of the applicant's charter, if applicable; and
- (iii) a certification by a principal officer of the applicant stating:

- 1. the dates for which the license is sought;
- 2. the place at which the game will be conducted;
- 3. the type of game for which the license is sought;
- 4. that only the regular members of the applicant will conduct the games and operate the gaming device for which the license is sought;
- 5. that the applicant will not use the assistance of gaming professionals in conducting games or operating gaming devices;
- 6. that persons conducting the games and operating the gaming devices or assisting in conducting the games and operating the gaming devices will not receive compensation or reward; and
- 7. that all proceeds obtained under the license will be used to further the purposes of the organization.

(3) The sheriff shall retain the copies of the applicant's verification of tax exemption and charter.

(e) (1) The sheriff may issue a license:

- (i) for one or more specific dates; or
- (ii) for a period not exceeding 1 year.

(2) The licensing year shall run from July 1 through the following June 30.

(3) The license shall state:

- (i) the dates that the game will be conducted;
- (ii) the place that the game will be conducted; and

(iii) the type of game authorized.

(f) (1) Except as provided under paragraph (2) of this subsection, a licensee may not conduct a game on Sunday.

(2) (i) A licensee may operate a raffle on Sunday.

(ii) A raffle is considered to be operated on the day that the licensee selects the raffle winner.

(iii) The sheriff shall license a 50/50 game operated for a period of more than 1 day as a raffle.

(3) A licensee may not allow a child who is under the age of 16 years to:

(i) operate a game or gaming device for which a license is issued under this subtitle;

(ii) conduct a game in which a gaming device is operated; or

(iii) play or participate in a game in which a gaming device is operated.

(4) The licensee may not pay a fee for the rental of the premises on which a game is conducted to:

(i) itself;

(ii) a trustee of the licensee;

(iii) a committee of the licensee; or

(iv) an organization with the same members or substantially the same members as the licensee.

(g) The sheriff shall charge each applicant:

(1) a license fee of \$1 for each day for which a license is issued; and

(2) the following additional amounts:

(i) except as provided in items (ii) through (v) of this item, \$1 for each gaming device to be operated each day;

(ii) \$1 for each day that a pull tab or instant bingo device is to be sold;

(iii) \$1 for each day that a bingo event is to be conducted;

(iv) \$1 for each day that a bingo special event is to be conducted; and

(v) \$1 for each raffle to be conducted.

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